REMARKS/ARGUMENTS

Request for Continued Examination:

    The applicant respectfully requests continued examination of the above-indicated application as per 37 CFR 1.114.

5

Amendments to the Claims

    In response to the advisory action dated 07/28/2008, claims 6, 15 and 19 are cancelled.

    Claims 20 and 21 are newly added, and support can be found in applicant's

10   disclosure (paragraphs [Para18] and [Para23]); no new matter is introduced.

Claim Rejections – 35 USC 112

    Claims 6, 15, and 19 are rejected under 35 USC 112, first paragraph, as falling to comply with the enablement requirement. In addition, claims 6, 15, and 19 are rejected

15   under 35 USC 112, second paragraph, as being indefinite for falling to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Response:

    Claims 6, 15, and 19 have been cancelled. Withdrawal of the rejections under 35 USC 112, 1st paragraph and 2nd paragraph, is respectfully requested.

20

Claim Rejections

    Claims 1, 4-10, 13, 15 and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by KENJO (US 5,029,155).

    Claims 2, 3, 11, 12, 14, and 16 are rejected under 35 U.S.C. 103(a) as being

25   unpatentable over KENJO (US 5,029,155) in view of CALL (US 5,640,381).

Response:

As stated above, claims 6, 15, and 19 have been cancelled. Referring to the arguments stated in the previous response filed on 07/03/2008, the applicant asserts that claims 1, 4-5, 7-10, 13 and 17-18 have overcome the rejections under 35 U.S.C. 102(b) and claims 2, 3, 11, 12, 14 and 16 have overcome the rejections under 35 U.S.C. 103(a).

5   Therefore, claims 1-5, 7-14 and 16-18 have been placed in condition for allowance. The text of the arguments of claims 1-5, 7-14 and 16-18, which has been presented in the previously submitted response, is recited herein for reference.

Claim 1

10   The applicant asserts that the limitation "converting received monitor signal values for a plurality of drive signal values to corresponding powers of the light emitting device according to a predetermined conversion rule" recited in claim 1 is not anticipated by KENJO. Rationale is given as below. Referring to the teachings of KENJO col. 5 lines 17-29, KENJO explicitly discloses:

15   *The output of the sample & hold circuit 27 is **converted** to a digital signal by an*

A/D conversion circuit 30, and the resultant digital signal is then input to the

*calculation circuit 28. The calculation circuit 28 **compares the digital output** of*

the monitor circuit 22, which has been received through the A/D conversion

*circuit 30, **with** the initially output power level **<u>directing value</u>**. If there is **a***

20   ***difference between these two outputs**, the calculation circuit 28 **corrects** the*

*initial **<u>directing value</u>** by **adding that difference value to the <u>directing value</u>** so as*

*to obtain a **<u>directing value</u>** which is an objective value for each sector. (emphasis*

added)

That is, KENJO teaches converting the output of the sample & hold circuit (27) to a digital signal by an A/D conversion circuit 30 and using the calculation circuit (28) of KENJO to compare the digital signal with the initial directing value for correcting the initial directing value, so as to obtain an objective directing value. In other words, KENJO

5   discloses converting the output of the sample & hold circuit (27) into a digital signal that is used to correct the initial directing value for obtaining an objective directing value. Therefore, the applicant emphasizes that KENJO merely discloses converting the output of the sample & hold circuit (27) into a **digital signal used to correct the initial directing value** for obtaining an objective directing value. Provided that the digital output

10   of the A/D conversion circuit 30 is interpreted by Examiner as a power level value corresponding to the laser diode, the applicant respectfully points out that calculating a difference between an initial **directing value** (i.e., the drive signal of the laser diode) and the **power level value** and then adding the calculated difference to the initial directing value to correct the initial directing value are illogical. Briefly summarized, the digital

15   output generated from KENJO's A/D conversion circuit 30 is by no means a power level value; otherwise, adding a difference between the A/D conversion output (power level value) and the initial directing value to the initial directing value would lead to an erroneous correction result of the initial directing value. Accordingly, the applicant contends that the limitation "converting received monitor signal values for a plurality of

20   drive signal values to **corresponding powers of the light emitting device** according to a predetermined conversion rule" recited in claim 1 is not anticipated by KENJO.

Further, in page 4 of the Office Action of May 05, 2008, Examiner asserts "calculation circuit 28 converts the output from the monitor circuit to an equivalent drive

11

signal value (see "directing value") and further teaches that each drive signal value

corresponds to an **actual** power level (see Table 4; also see column 5:49-53 which implies

that the input to the sample and hold circuit is converted into a value indicative of **actual**

power level)". However, the applicant respectfully points out that as recited in claim 1, the

5   received monitor signal values for a plurality of drive signal values are converted to

corresponding powers of the light emitting device according to a **predetermined**

conversion rule but not the actual relationship therebetween. That is, the powers of the

light emitting device is obtained from a predetermined relationship between the powers of

the light emitting device and the monitor signal values, which is not actually detected as

10   suggested by the Examiner. Related description can be found in para. 20 of the application,

stating "Fig.4 shows a graph illustrating a predetermined rule for converting monitor

signal values to power values by the microprocessor of Fig.2. At monitor signal MS at a

value of A, there is zero power of the LD 210. For lower values of the monitor signal MS,

the power increases according to the predetermined rule. The microprocessor 202 uses the

15   predetermined rule shown in Fig.4 to convert the received monitor signal MS values

corresponding to drive signal DS values being higher than the offset value DS0 to power

values to thereby generate the preliminary power relationship". As cited above, the rule

for converting monitor signal values to power values is **predetermined**. Accordingly, the

applicant contends that the limitation "converting received monitor signal values for a

20   plurality of drive signal values to corresponding powers of the light emitting device

according to **a predetermined conversion rule**" recited in claim 1 is not anticipated by

KENJO.

        Since KENJO does not disclose "converting received monitor signal values for a

12

plurality of drive signal values to corresponding powers of the light emitting device according to a predetermined conversion rule", the applicant contends that it is impossible for KENJO to anticipate "determining a preliminary power relationship relating values of the drive signal to powers of the light emitting device according to received monitor

5   signal values for the plurality of drive signal values and the predetermined conversion rule. " recited in claim 1, and thus claim 1 should be found allowable over KENJO. The applicant asserts that claim 1 has overcome the rejection under 35 USC 102(b) and has been placed in condition for allowance. Withdrawal of the rejection to claim 1 is respectfully requested.

10

Claim 4

The applicant asserts that the limitation "writing test data to the optical medium of the optical device using a particular drive signal value for a predetermined power value according to the preliminary power relationship" recited in claim 4 is not anticipated by

15   KENJO. Referring to the abstract of the teachings of KENJO, KENJO explicitly teaches:

*The calculation circuit 28 **determines whether** or not the power level actually detected when the laser is made to emit light at the power level represented by the above-described directing value data A, "11111000", is identical to an objective directing value. If it is, no updating of the directing value A in the directing table*

20   *is carried out. If these two levels are different, the calculation circuit 28 adds the difference to the directing value A and thereby changes the directing value A in the directing table to a directing value A'. Subsequently, the laser is caused to emit light at a write power level represented by this directing value A'. FIG. 4 shows a*

*case where the actually detected level represented by the directing value A is slightly lower than an objective value, and this directing value A is **corrected** to "11111011" in order to compensate for this difference.*

As illustrated above, KENJO discloses determining whether the directing value

5   data A is identical to an objective directing value or not and correcting the directing value data A to become the objective directing value if the directing values are not identical. That is, KENJO merely teaches to **determine** whether the directing value data A is identical to an objective directing value and to **correct** the directing value data A if necessary. Therefore, the applicant asserts that the claimed limitation "**writing test data**

10   **to the optical medium of the optical device using a particular drive signal value for a predetermined power value according to the preliminary power relationship**" recited in claim 4 is not disclosed by KENJO. Claim 4 should be found allowable over the cited reference accordingly. In addition, claim 4 is dependent upon claim 1, and should be allowed if claim 1 is found allowable.

15

Claims 10 and 13

In addition, referring to above-mentioned arguments of claims 1 and 4, the applicant believes that claims 10 and 13 also have overcome the rejections under 35 U.S.C. 102(b) over KENJO, and have been placed in condition for allowance.

20

Claims 2, 3, 5, 7-9, 11, 12, 14, 16-18

Claims 2, 3, 5, and 7-9 are dependent upon claim 1, and should be allowed if claim 1 is found allowable. In addition, claims 11, 12, 14, and 16-18 are dependent upon

claim 10, and should be allowed if claim 10 is found allowable.

Patentability of New Claims 20 and 21

        After carefully reviewing the whole teachings of the cited references, the applicant

5   asserts that neither KENJO nor CALL teaches the limitations of claims 20 and 21. Claims

20 and 21 should be found allowable over the cited references, alone or in combination. In

addition, claims 20 and 21 are dependent upon claims 1 and 10, respectively, and should

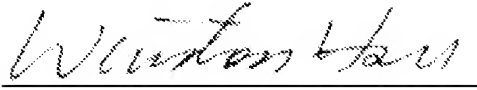be allowed if claims 1 and 10 are found allowable.

10   **Conclusion**

        Based on the above remarks/arguments, the applicants respectfully submits that all

of the rejections set forth in the Office Action dated 05/05/2008 have been overcome and

the pending claims are in condition for allowance. Withdrawal of the rejections and

reconsideration of the pending claims are respectfully requested. If a telephone conference

15   would facilitate the prosecution of this application, the Examiner is invited to contact the

undersigned applicant's representative at the number indicated below.

20

25

Sincerely yours,

Date: _____ 08.05.2008 _____

Winston Hsu, Patent Agent No. 41,526

5   P.O. BOX 506, Merrifield, VA 22116, U.S.A.

Voice Mail: 302-729-1562

Facsimile: 806-498-6673

e-mail : winstonhsu@naipo.com

10   Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)